



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

May 13, 2009

The Honorable Kathy Haigh
House of Representatives
431 John L. O'Brien Building
Olympia, WA 98504

Re: Aquatic Herbicide Use in Haven Lake, Mason County

Dear Representative Haigh:

Many of you have been copied on correspondence between the Washington Department of Ecology (Ecology) and Haven Lake residents regarding aquatic herbicide use in Haven Lake.

Ecology regulates aquatic herbicide use in lakes under the Aquatic Plant and Algae Management National Pollutant Discharge Elimination System (NPDES) General Permit. We commonly use "general" permits when similar activities, such as aquatic herbicide application, take place at many sites. We also ensure protection of the environment and human health at all sites through special conditions in general permits. Permit holders must comply with all permit conditions. We issued the Aquatic Plant and Algae Management Permit for a five-year period. The permit expires in 2011. All of the Haven Lake treatments are subject to the requirements of this permit.

In 2007, Ecology issued permit coverage to Northwest Aquatic Eco-systems for the treatment of nuisance native plants in Haven Lake. The president of the Haven Lake Homeowners Association (HLHA) signed the permit application and certified that he hired the contractor on behalf of the HLHA. In 2007, based on advice from their contractor, the HLHA chose not to apply herbicides. In 2008, the HLHA authorized treatment of nuisance native plants on 19 acres of the 69-acre lake. Not all Haven Lake residents support herbicide treatment and these residents have been very vocal in their opposition.

In 2008 and into 2009, Ecology staff responded to hundreds of questions from some Haven Lake residents. At least 10 Water Quality Program employees have been involved with answering these questions, diverting them from other job duties. Water Quality program staff cannot continue to provide the past level of responsiveness to questions about Haven Lake. Ecology staff have answered the same questions many times.

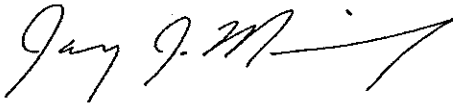
The Honorable Kathy Haigh
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Through their contractor, the HLHA currently has coverage under the Aquatic Plant and Algae Management NPDES permit. Continued herbicide applications in Haven Lake are legal. Ecology will ensure permit compliance. In the absence of a change in state laws, Ecology will continue to issue permit coverage to manage native nuisance plants in lakes.

Please contact me if you have any questions at (360) 407-7001 jaym461@ecy.wa.gov. If you have questions about permit administration, contact Jon Jennings at (360) 407-6283 joje461@ecy.wa.gov. For technical assistance questions about herbicides and their use, contact Kathy Hamel at (360) 407-6562 kham461@ecy.wa.gov.

Sincerely,



Jay J. Manning
Director

cc: Steve Kalinowski, WDFW
Debbie Riley, Mason County Environmental Health Manager



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May 13, 2009

Mr. Keith Phillips
Governor's Executive Policy Office
PO Box 43113
Olympia, WA 93113

Re: Aquatic Herbicide Use in Haven Lake, Mason County

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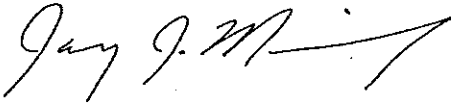
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Debbie Riley, Mason County Environmental Health Manager



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May 13, 2009

The Honorable Christine Rolfes
House of Representatives
336 John L. O'Brien Building
Olympia, WA 98504

Re: Aquatic Herbicide Use in Haven Lake, Mason County

Dear Representative Rolfes:

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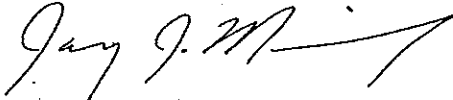
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Sincerely,

A handwritten signature in black ink, appearing to read "Jay J. Manning". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jay J. Manning
Director

cc: Steve Kalinowski, WDFW
Debbie Riley, Mason County Environmental Health Manager



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May 13, 2009

The Honorable Fred Finn
House of Representatives
430 John L. O'Brien Building
Olympia, WA 98504

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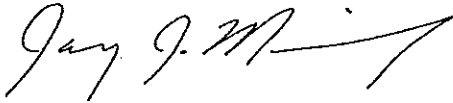
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May 13, 2009

The Honorable Sherry Appleton
House of Representatives
424 John L. O'Brien Building
Olympia, WA 98504

Re: Aquatic Herbicide Use in Haven Lake, Mason County

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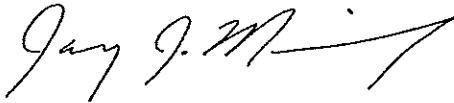
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May 13, 2009

The Honorable Tim Sheldon
State Senate
412 Legislative Building
Olympia, WA 98504

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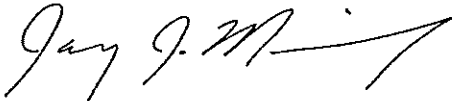
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May 13, 2009

The Honorable Phil Rockefeller
State Senate
John A. Cherberg Building
Olympia, WA 98504

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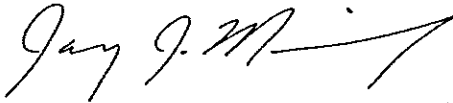
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bcc: Kelly Susewind
Bill Moore
Dewey Weaver
Jon Jennings
Rod Thysell
Sally Toteff
Kim McKee
Garin Schrieve
Kathy Hamel

